



Alan C. Lloyd, Ph.D.
Agency Secretary

State Water Resources Control Board

Division of Financial Assistance

1001 I Street • Sacramento, California 95814
P.O. Box 944212 • Sacramento, California • 94244-2120
(916) 341-5760 FAX (916) 341-5806 ♦ www.waterboards.ca.gov/cwphome/ustcf



Arnold Schwarzenegger
Governor

October 17, 2005

GENERAL PROGRAM INFORMATION FOR THE ORPHAN SITE CLEANUP ACCOUNT

The following Program information is provided to assist interested parties.

GENERAL

The Contamination Orphan Site Cleanup Subaccount (OSCA) was added to Chapter 6.75 Section 25299.50.2 of the California Health & Safety Code effective January 1, 2005. The OSCA Program was established to provide financial assistance to eligible applicants for the cleanup of brownfield sites contaminated by leaking petroleum underground storage tanks (USTs) where there is no financially responsible party.

BROWNFIELD SITES

A brownfield site is defined by the following criteria:

- (1) The site is located in an urban area. An urban area means the central portion of a city or a group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated areas having a population density of at least 1,000 persons per square mile.
- (2) The site was previously the site of an economic activity that is no longer in operation at that location.
- (3) The site has been vacant or has had no occupant engaged in year-round economically productive activities for a period of not less than the 12 months previous to the date of application applying for a grant.

FUNDING

The OSCA Program will receive a \$10,000,000 per year appropriation for fiscal years 2005, 2006, 2007. The maximum available per occurrence is \$1.5 million. OSCA grants will be issued to eligible applicants based on priority and availability of funding. Due to statutory time limitations, the OSCA Program will encourage timely cleanups.

APPLICATION ELIGIBILITY PROCESS

An application process will be used to identify eligible projects. All interested parties seeking OSCA grant funding must complete and submit an OSCA application for review.

Main application requirements include:

Subject	Requirements
Eligible Applicant	<ul style="list-style-type: none"> Does not qualify for the UST Cleanup Fund. Did not cause or contribute to release. Has no affiliation with a person who caused or contributed to the release.
Eligible Site	<ul style="list-style-type: none"> Must qualify as a brownfield. Principal source of contamination is from a petroleum UST.
Financially Responsible Party	<ul style="list-style-type: none"> No financially responsible party has been identified to pay for the cleanup costs.

Additional requested application information includes the following:

- Site information.
- Lead agency providing oversight, lead agency contact and case number assigned.
- History of response actions from date of discovery of unauthorized release to present.
- Site history – Former property owners, tank owners and operators.
- Certification Disclosure for double payment.

All applicants will be required to submit *additional supporting documents* for the application including but not limited to:

Subject	Requirements
Site Map	<ul style="list-style-type: none"> Detailed site map with locations of all USTs and other known or potential sources of contamination.
Unauthorized Release	<ul style="list-style-type: none"> Verification from a regulating agency of an unauthorized release from a petroleum UST and directives requiring cleanup activities at the site. Principal source of contamination is from a petroleum UST.
Technical Reports	<ul style="list-style-type: none"> Submit copies of all technical reports associated with UST removal, site investigation, remediation or quarterly monitoring associated with the unauthorized release that is the subject of the application.

If applicable, applicants will be required to submit the following *additional supporting documents* for the application including but not limited to:

Subject	Requirements
Site Access	<ul style="list-style-type: none"> • If applicant is not a property owner, submit documentation that applicant has authority to access the site.
Financially Responsibility Party Declaration Worksheet	<ul style="list-style-type: none"> • Submit Financially Responsibility Party Declaration Worksheet.
Property Ownership	<ul style="list-style-type: none"> • Submit evidence of property ownership, eg Grant Deed, purchase agreement.
Priority Information	<ul style="list-style-type: none"> • Submit evidence applicant qualifies for priority points – Subject to OSCA regulations.
Small Business	<ul style="list-style-type: none"> • Submit Small Business Worksheet and tax returns.
Applicant Data Record	<ul style="list-style-type: none"> • Complete and submit an Applicant Data Record, Standard State Form 204 for revenue reporting purposes

OSCA BUSINESS PROCESS

The OSCA application business process will be as follows:

1. Receive and review new OSCA application.
2. Send Acceptance/Rejection Notification Letter to applicant.
3. Establish OSCA Priority List.
4. Send pre Grant Agreement paperwork to eligible applicant.
5. Negotiate Grant Agreement with applicant.
6. Process and Execute Grant Agreement.
7. Receive and process payment requests that are submitted pursuant to a Grant Agreement.

GRANT REIMBURSEMENT FUNDING

Grant funding will be issued in a Grant Agreement between the applicant (Grantee) and the State Water Resources Control Board (Grantor). Two types of grants will be available to eligible applicants.

Assessment Grant - Assessment grants provide funding for response actions that characterize, assess, and investigate an unauthorized release from an underground storage tank. These actions include, but are not limited to, a preliminary site assessment and soil and water investigation and the preparation of a corrective action plan. Assessment grants may also provide funding for underground storage tank removal, free product removal and limited soil excavation.

Cleanup Grants – Cleanup grants provide funding for response actions that carry out cleanup activities and include, but are not limited to implementing a corrective action plan and verification monitoring.

NOTE: **The OSCA Program will not prepay response costs.** Eligible response costs incurred will be reimbursed after a Grant Agreement has been executed and invoice packages are submitted for review pursuant to the Grant Agreement.

PROPOSED TIMELINE

October 2005	OSCA Emergency Regulations adopted by State Water Board.
December 2005	OSCA Application Packages available on line and mailed to interested parties.
March 2006	State Water Board adopts OSCA Priority List.
April 2006	OSCA begins funding applications.

FUTURE OSCA UPDATES

As OSCA Program information becomes available, the Special Programs Unit will post the information at the following website: www.waterboards.ca.gov/cwphome/ustcf under an option identified as the OSCA Program.

Interested parties can also signup and subscribe to the OSCA electronic mailing list AB 1906 (Orphan Site Cleanup Account) for future OSCA Program updates at the following website: http://www.waterboards.ca.gov/lyrisforms/swrcb_subscribe.html

If you would prefer or need to receive OSCA updates and or an OSCA application via the mail please contact OSCA Program staff, Pat Preslar. OSCA applications will be mailed to interested parties upon request and will also be available on line.

If you have any questions regarding the OSCA Program, contact:

Judy Reid	(916) 341-5760	jreid@waterboards.ca.gov
Pat Preslar	(916) 341-5756	ppreslar@waterboards.ca.gov